

ENTERED

May 29, 2020

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION

UNITED STATES OF AMERICA

VS.

RUBEN PLATA

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CRIMINAL ACTION NO. 5:20-CR-614

ORDER

On March 26, 2020, the Court granted Defendant's unopposed motion for an evaluation of both his competency to stand trial and his sanity at the time of the charged offense (Dkt. No. 34). The Court also issued an Advisory which provided that "if additional delays arise, the Court will issue further instructions for the deposition and release of the four material witnesses, who have already been detained for two months" (Dkt. No. 37). The Court has now been informed that Defendant's evaluation will be significantly delayed due to the pandemic. Pursuant to 8 U.S.C. § 1324(d), the Court therefore **ORDERS** the Government to depose and release the material witnesses.

Specifically, the Court **ORDERS** the following:

1. Counsel for the parties and material witnesses shall agree on the place and time for the depositions. So long as the depositions are properly recorded, they may be conducted by Video Tele-Conference or Zoom.
2. Defendant and his counsel shall attend the depositions, either remotely or in person, and shall have a full opportunity to cross-examine the material witnesses.

3. A judicial officer need not attend the depositions. The parties shall preserve any objections in a manner that complies with Rule 15(g).
4. The parties must complete the depositions by July 6, 2020. The Government is ordered to release all four material witnesses after their depositions but under no circumstances later than July 6, 2020.

It is so **ORDERED**.

SIGNED May 29, 2020.

A handwritten signature in black ink, reading "Marina Garcia Marmolejo". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Marina Garcia Marmolejo
United States District Judge